

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEVEN M. BERESFORD, et al.,

Defendants.

CASE NO. C21-5345-JCC-SKV

ORDER SETTING TRIAL DATE  
AND RELATED DATES

Having reviewed the Joint Status Report and Discovery Plan submitted by the parties, the Court hereby sets this case for trial before the Honorable John C. Coughenour and orders the following pretrial schedule:

Event	Date
JURY TRIAL SET FOR 9:30 a.m. on	<b>10/2/2023</b>
Length of trial	1-2 days
Deadline for joining parties	1/17/2023
Deadline for amending pleadings	2/14/2023
Disclosure of expert testimony under FRCP 26(a)(2) due	3/2/2023

1	Disclosure of rebuttal expert testimony under FRCP 26(a)(2) due	3/23/2023
2	All motions related to discovery must be filed by this date and noted for consideration no later than the third Friday thereafter ( <i>see</i> LCR 7(d) or LCR 37(a)(2))	4/3/2023
3	Discovery to be completed by	5/2/2023
4	All dispositive motions must be filed by this date and noted for consideration no later than the fourth Friday thereafter ( <i>see</i> LCR 7(d))	6/2/2023
5	Settlement Conference per LCR 39.1(c)(2) held no later than	7/3/2023
6	Mediation per LCR 39.1(c) held no later than	8/2/2023
7	All motions in limine must be filed by this date and noted for consideration no earlier than the third Friday after filing but no later than the Friday before the pretrial conference ( <i>see</i> LCR 7(d)(4))	9/5/2023
8	Agreed LCR 16.1 Pretrial Order due	9/20/2023
9	Trial briefs, proposed voir dire questions, proposed jury instructions, deposition designations, and exhibit lists are due by this date; Counsel are to confer and indicate with their submissions which exhibits are agreed to	9/25/2023
10	Pretrial conference	TBD

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17 The dates set forth in this order are firm dates that can be changed only by order of the  
18 Court, not by agreement of counsel for the parties. The Court will alter these dates only upon  
19 good cause shown. Failure to complete discovery within the time allowed is not recognized as  
20 good cause. If any of the dates identified in this Order or the Local Civil Rules fall on a  
21 weekend or federal holiday, the act or event shall be performed on the next business day.

22  
23 If the trial date assigned to this matter creates an irreconcilable conflict, counsel must  
24 notify Deputy Clerk Kadya Peter in writing within ten (10) days of the date of this Order and  
25 must set forth the exact nature of the conflict. A failure to do so will be deemed a waiver.

1 Counsel must be prepared to begin trial on the date scheduled, but it should be understood that  
2 the trial may have to await the completion of other cases.

3 **PROCEDURAL INFORMATION**

4 The parties and counsel are encouraged to advise the Court of their pronouns and  
5 honorifics (such as Ms., Mx., or Mr.) and may do so in signature lines or by advising the in-  
6 court deputy clerk before a hearing begins, either via email or in person.

7 The Court encourages parties and counsel to be mindful of opportunities for new lawyers  
8 (practicing less than seven years) to conduct hearings before the Court, especially where these  
9 lawyers drafted or significantly contributed to motions and responses. The Court is aware that  
10 having a new lawyer appear may not be appropriate or in the client's best interest in all instances.  
11 Therefore, an experienced attorney may supplement a new lawyer's arguments and witness  
12 examination questions with their own if necessary.  
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14 Judge Vaughan does not automatically schedule oral argument upon request. The parties  
15 will be contacted if, after reviewing the briefing, Judge Vaughan believes oral argument will be  
16 helpful in resolving the motion.  
17

18 Unless otherwise ordered by the Court, a paper copy of the following electronically filed  
19 documents (including the Notice of Electronic Filing) must be marked as a "JUDGE'S COPY"  
20 and delivered to the Clerk's Office within three business days after the electronic filing:  
21 dispositive motions and motions for injunctive relief (including all related documents); Social  
22 Security administrative records; and any other documents (including all related documents) that,  
23 in the aggregate, are in excess of 50 pages.  
24

25 All counsel and unrepresented parties should review Judge Vaughan's web page for  
further procedural information applicable to cases before Judge Vaughan. Judge Vaughan's web

1 page, in addition to the Local Rules, Electronic Filing Procedures for Civil and Criminal Cases,  
2 court forms, instruction sheets, and General Orders, can be found on the Court's website at  
3 [www.wawd.uscourts.gov](http://www.wawd.uscourts.gov).

#### 4 **COOPERATION**

5 As required by LCR 37(a), all discovery matters are to be resolved by agreement if  
6 possible. Judge Vaughan strongly encourages parties to make every effort to resolve discovery  
7 disputes without the Court's intervention. The Court strictly construes the meet and confer  
8 requirements. To the extent motions practice is necessary, Judge Vaughan encourages parties to  
9 take advantage of the expedited discovery dispute procedures described in Local Civil Rule  
10 37(a)(2). This approach may resolve the dispute in an expedient manner and avoid the extra  
11 costs associated with motions practice. The moving party must make reasonable efforts to have  
12 all parties to the discovery dispute participate in contacting the Court to request a telephonic  
13 motion. *See* Local Civil Rule 7(i). Counsel may contact Stefanie Prather, Courtroom Deputy, by  
14 email at [stefanie\\_prather@wawd.uscourts.gov](mailto:stefanie_prather@wawd.uscourts.gov) or by telephone at (206) 370-8420 to arrange a  
15 telephone conference with the Court.  
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18 Counsel are also directed to cooperate in preparing the final pretrial order in the format  
19 required by LCR 16.1, except as ordered below.

#### 20 **EXHIBITS**

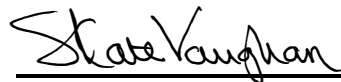
21 The Court must receive all trial exhibits by the morning of trial. All trial exhibits must be  
22 pre-marked by counsel. Exhibit tags can be obtained from the Clerk's Office. Plaintiff's exhibits  
23 shall be numbered consecutively starting with number 1. Defendant's exhibits shall be numbered  
24 consecutively starting with number A-1. Duplicated documents shall not be listed twice on the  
25 exhibit list. Once a party has identified an exhibit on the exhibit list or in the pretrial order, any

1 party may use it. Each set of exhibits shall be submitted in a three-ring binder with appropriately  
2 numbered tabs. This original, and one copy, should be delivered to the in-court clerk on the  
3 morning of trial. If the exhibit list is revised at any time after it is filed with the Court, counsel  
4 shall file a revised exhibit list and provide the Courtroom Deputy with a redlined version  
5 indicating the changes. Jurors have high expectations about the lawyers' ability to operate the  
6 evidence presentation devices in the courtroom. Training is strongly encouraged.

### 7 SETTLEMENT

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9 If this case settles, plaintiff's counsel shall notify Stefanie Prather at (206) 370-8420 or  
10 via email at: [Stefanie\\_Prather@wawd.uscourts.gov](mailto:Stefanie_Prather@wawd.uscourts.gov), as soon as possible. Pursuant to LCR11(b),  
11 an attorney who fails to give the Deputy Clerk prompt notice of settlement may be subject to  
12 such discipline as the Court deems appropriate. The Clerk is directed to send copies of this  
13 Order to all parties of record.

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15 Dated this 20th day of December, 2022.

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17 S. KATE VAUGHAN  
18 United States Magistrate Judge  
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